

TARA L. SWAFFORD
TEL (615) 742-7731
FAX (615) 742-2840
tswafford@bassberry.com

BASS, BERRY & SIMS PLC

A PROFESSIONAL LIMITED LIABILITY COMPANY
ATTORNEYS AT LAW

AMSOUTH CENTER
315 DEADERICK STREET, SUITE 2700
NASHVILLE, TN 37238-3001
(615) 742-6200

www.bassberry.com

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June 24, 2004

Ms. Deborah Taylor Tate, Chairman
TENNESSEE REGULATORY AUTHORITY
460 James Robertson Parkway
Nashville, Tennessee 37243

***Re: Tennessee Coalition of Rural Incumbent Telephone Companies and
Cooperatives Request for Suspension of Wireline to Wireless Number
Portability Obligations Pursuant to Section 251(f)(2) of the
Communications Act of 1934, as Amended
Docket No. 03-00633***

Dear Chairman Tate:

Please find enclosed an original and thirteen copies of the Coalition's Response to Verizon Wireless' Motion to Compel Responses to Discovery Requests filed today in this docket on behalf of the Tennessee Coalition of Rural Incumbent Telephone Companies and Cooperatives. If you have any questions or concerns, please feel free to give me a call.

Sincerely,



Tara L. Swafford

TLS:bb

Enclosures

cc: Timothy C. Phillips, Esq. (w/enc.)
Edward Phillips, Esq. (w/enc.)
Melvin J. Malone, Esq. (w/enc.)
Thomas Moorman, Esq. (w/enc)

IN RE:)
)
TENNESSEE COALITION OF RURAL)
INCUMBENT TELEPHONE COMPANIES) **DOCKET NO. 03-00633**
AND COOPERATIVES REQUEST FOR)
SUSPENSION OF WIRELINE TO WIRELESS)
NUMBER PORTABILITY OBLIGATIONS)
PURSUANT TO SECTION 251(f)(2) OF THE)
COMMUNICATIONS ACT OF 1934, AS)
AMENDED)
)
)

The Tennessee Coalition of Rural Incumbent Telephone Companies and Cooperatives (the "Coalition") hereby responds to Verizon Wireless' Motion to Compel Responses to Discovery Requests Nos. 1.06, 1.19, 1.23 and 1.25. The Coalition responds to the Motion to Compel for these specific requests as follows:

The Coalition objected to Discovery Request No. 1.06 because it refers to issues that are not related to this docket. In its original form, the request sought information as to whether the members of the Coalition had received a bona fide request for LNP under Section 251(f)(1)(a) of the Federal Telecommunications Act. Because this case does not implicate that statutory section, the Coalition properly objected. Verizon goes on to request in its clarified request whether the Coalition has ever received a bona fide request for LNP from a wireless carrier. The Coalition objected because it does not believe that the compressed schedule of this docket permits a party to pose discovery requests and then reformulate them when they are objectionable. In normal

litigation practices that provide for discovery under a non-expedited basis, that might be proper, but in this instance, the Coalition does not believe that the press of filing discovery responses, responding to discovery responses, submitting testimony and submitting rebuttal testimony all within the time span of one month permits a party to reformulate their requests and extend this discovery process past the date of filing testimony. Furthermore, the issue of what is a "bona fide request" is a legal issue and any response would call for a legal response and, thus, the Coalition stands by its objection to this request.

Discovery Request No. 1.19:

The Coalition responded to Verizon's Discovery Request No. 1.19 in its initial discovery responses (see pages 14 through 16) and provided a chart with detailed information for each of the companies who claim they need extra time beyond May 24, 2004 to allow their switch to be LNP capable. While certain information was not provided in the initial response due to the lack of a protective order, all responsive information has since been provided. The Coalition simply has no other information to provide and stands by the detailed information submitted on pages 14 to 16 of its responses.

Discovery Request 1.23:

Verizon submitted Discovery Request 1.23 asking whether the Coalition members are prepared to "properly route and deliver calls which have been ported to a wireless carrier." The Coalition objected because the term "properly routed" is ambiguous and undefined based on the issues raised in this docket. The primary issue raised by the Coalition in the docket is the lack of direction from the FCC as to how the Coalition should properly rate and route calls to a number that has been ported by a wireline customer to a wireless provider. Due to the lack of direction on this issue, the Coalition is faced with either an undue economic burden or technical

infeasibility in determining how to transport such calls. Verizon's reformulated request does not eliminate this issue. Accordingly, because there is no direction for the Coalition on how a call should be "properly routed", the Coalition cannot respond to this request until the uncertainties regarding this issue have been clarified by either the FCC or the TRA.

Discovery Request No. 1.25:

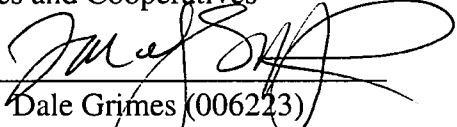
Again, in Verizon's Discovery Request No. 1.25, Verizon again uses the phrase "properly route" in requesting whether those members of the Coalition who will not be "LNP compliant" by May 24, 2004 have made arrangements with other parties to "properly route calls originated by customers serviced by such switches to ported numbers" until the Coalition member is able to complete this function. Once again, this request calls for a response that requires knowledge of how such calls are to be "properly routed". Verizon's reformulated request does not eliminate this issue. Until direction is given to the Coalition members either by the TRA or the FCC on this issue, the Coalition simply cannot make an informed response.

CONCLUSION

The Coalition regrets that this discovery issue has been brought to the attention of the TRA and does not believe that the issues raised by Verizon are material to this proceeding. Because the requests are either deficient for the reasons stated above or have fully been answered, the Coalition should have no further obligation to respond. Furthermore, direct and rebuttal testimony has been submitted, and nowhere does it appear that any of this information is material to the testimony provided by Verizon. Indeed Verizon has not even alleged that this discovery is material to their case or that they are prejudiced by not having it. For the reasons stated, the Coalition respectfully requests that Verizon's Motion to Compel be denied.

Respectfully submitted,
The Tennessee Coalition of
Incumbent Rural Telephone
Companies and Cooperatives

By: _____


R Dale Grimes (006223)
Tara L. Swafford (17577)
Bass, Berry & Sims PLC
315 Deaderick Street, Suite 2700
Nashville, TN 37238-3001
(615) 742-6244

Of Counsel:
Thomas J. Moorman
Stephen G. Kraskin
Kraskin, Moorman & Cosson LLC
2120 L Street N W. Suite 520
Washington, D.C. 20037
202-296-8890

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via hand delivery or facsimile on June 24th, 2004, upon:

Paul G. Summers, Esq.
Vance L. Broemel, Esq.
Timothy C. Phillips, Esq.
Office of the Attorney General
Consumer Advocate and Protection Division
425 5th Avenue North
Nashville, Tennessee 37202

Hand delivery ☒
U. S. Mail ☐
Facsimile ☐

Melvin J. Malone, Esq.
Miller & Martin, PLLC
1200 One Nashville Place
150 Fourth Avenue, North
Nashville, Tennessee 37219-2433

Hand delivery ☒
U. S. Mail ☐
Facsimile ☐

Edward Phillips
SprintCom, Inc. d/b/a Sprint PCS
Mailstop: NCWKFR0313
14111 Capital Boulevard
Wake Forest, NC 27587-5900

Hand delivery ☐
U. S. Mail ☐
Facsimile ☒
